

8/23/04

AF/3877/#
IFW

1



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Dimitra G. Gerogianni
Serial No.: 09/776,130
Filing Date: February 2, 2001
Group Art Unit: 3677
Examiner: Flemming Saether
Title: *System and Method for Brokering Food Order
Transactions Among a Plurality of Unaffiliated Sellers*

MAIL STOP: APPEAL BRIEF-PATENTS
Commissioner For Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

08/25/2004 WABDELRI 00000040 09776130

01 FC:1401

330.00 OP

CERTIFICATE OF MAILING
BY EXPRESS MAIL

I hereby certify that this communication is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" under 37 C.F.R. § 1.10 on the date indicated below and is addressed to Commissioner For Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Willie Jiles

Willie Jiles

Date: August 20, 2004

Exp. Mail Receipt No. EV 322185605 US

Notice of Appeal

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner mailed April 20, 2004, finally rejecting Claims 1-13, and 16-37, all of which are pending in this case. Applicant filed a response to the final Office Action on July 20, 2004, and the Examiner mailed an Advisory Action on August 13, 2004.

This application is filed on behalf of a large entity.

Pursuant to 37 C.F.R. § 1.17(b), a check in the amount of \$330.00 is attached to cover the filing fee for this Notice of Appeal. Applicant does not believe that any additional fees are due. However, the Commissioner is hereby authorized to charge any additional fees and credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P. **This document is being transmitted in triplicate.**

Respectfully submitted,

BAKER BOTTS L.L.P.
Attorneys for Applicant



Christopher W. Kennerly
Reg. No. 40,675

Date: August 20, 2004

Correspondence Address:

Customer Number: 05073